

GDPR for ASF Merchants

Art Storefronts is operating in compliance with the GDPR (General Data Protection Regulation). Some of the actions we have taken are:

- Assessing our own data protection practices and updating our own privacy policy to monitor our compliance and offer transparency.
- Checked with vendors regarding their compliance.
- Documented our basis for processing or collecting personal data.
- Named a Data Protection Officer/Representative and outlined responsibility.
- Submitting application for self certification through a US Government Agency Privacy Shield.
- We are currently working with consultants to initiate opt out and cookies notices (privacy notice) for our platform and install and update on merchant sites.
- Scheduled reviews on a regular basis to do risk assessments.

Suggested action for merchants;

- Assess and list your privacy policy in the footer of your website.
- Offer buyers cookies notice and list the reasons you retain information (ASF will provide automatically before the May 25th deadline).
- Have an opt out or unsubscribe link in the footer of your website.
- Self certify your business with Privacy Shield (link listed below).
- Upon client request provide any information you have retained for that client and change or delete that information if requested.

Although we are offering guidance on the subject this is not to be mistaken for legal advice. Each business is responsible for their own data protection and we urge you to seek consultation and guidance to ensure your own business is following the regulations as outlined in the GDPR, when working within the EU/EEA or Switzerland (European Union/European Economic Area).

What is GDPR and its US Requirements

GDPR is concerned with protecting the privacy of EU/EEA or Switzerland citizens and securing their data. The reason for GDPR is to give data subjects greater control over the information that is collected, stored, and used by others. It doesn't matter where in the world an entity is located, if that entity does business with EU/EEA or Switzerland citizens that involves collecting or processing personal data they must comply with GDPR. Simply complying with existing data privacy and security regulations in the country in which the entity operates is not sufficient.

Merchants and partners

The GDPR also applies to the merchants and partners of Art Storefronts who operate in the EU/EEA (European Union/European Economic Area) or Switzerland and offer goods or services to residents of the EU/EEA or Switzerland. While Art Storefronts is performing action to be compliant with GDPR, and to provide its merchants with tools to help its merchants comply, each merchant is ultimately responsible for ensuring that their business complies with the laws of the jurisdictions in which they operate or have buyers. Using Art Storefronts does not guarantee that a merchant or partner complies with GDPR.

End User - Merchants Buyers

The GDPR also gives certain rights to identified or identifiable persons (referred to as data subjects), including buyers visiting stores belonging to Art Storefronts merchants. These include the right to request;

- Deletion of personal data
- Correction of their data
- Access to their data
- An export of their data in a portable format

What data does the GDPR apply to?

The GDPR generally applies to the collection and processing of personal data. Under the GDPR, personal data means any information relating to a data subject. An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as:

- Name
- Identification number
- Location data
- Online identifier (such as IP address or cookie ID)

GDPR Effective Date

The policy is effective within the EU/EEA or Switzerland on May 25, 2018.

Posting a privacy notice

When personal data is collected from a data subject, merchants must provide certain minimum information about the intended processing of the personal data, as well as information about how to contact and identify the Merchant. Merchants are responsible for providing this information to their buyers.

Complying with marketing and cookie regulations

Merchants are responsible for making sure that they comply with marketing and cookie regulations in the jurisdictions in which they operate. Merchants with EU buyers should make sure that they obtain appropriate consent for the use of cookies—the ePrivacy Directive generally requires some form of consent in order to use tracking technologies. All merchants should similarly make sure that their email marketing practices comply with applicable e-marketing or anti-spam requirements.

For More Information

- <https://www.privacyshield.gov>
- GDPR Full Version
- GDPR Breakdown and facts as presented in the EU. - <https://www.eugdpr.org/gdpr-faqs.html>
- Sample Privacy Statement 1 - <https://www.bbb.org/greater-san-francisco/for-businesses/understanding-privacy-policy/sample-privacy-policy-template/>
- Sample Privacy Statement 2 - <https://www.nibusinessinfo.co.uk/content/sample-privacy-policy>

Link to Our Privacy Policy

- <https://blog.artstorefronts.com/privacy-policy/>

Disclaimer

Please note that this document is provided for informational purposes only. Its contents may be subject to change over time. The information in this whitepaper does not modify existing contractual arrangements and may not be construed as legal advice.

